

Effective 5/10/2016

73-22-3 Definitions.

As used in this chapter:

- (1) "Correlative rights" mean the rights of each geothermal owner in a geothermal area to produce without waste his just and equitable share of the geothermal resource underlying the geothermal area.
- (2) "Division" means the Division of Water Rights, Department of Natural Resources.
- (3) "Geothermal area" means the general land area which is underlain or reasonably appears to be underlain by geothermal resources.
- (4) "Geothermal fluid" means water and steam at temperatures greater than 120 degrees centigrade naturally present in a geothermal system.
- (5)
 - (a) "Geothermal resource" means:
 - (i) the natural heat of the earth at temperatures greater than 120 degrees centigrade; and
 - (ii) the energy, in whatever form, including pressure, present in, resulting from, created by, or which may be extracted from that natural heat, directly or through a material medium.
 - (b) "Geothermal resource" does not include geothermal fluids.
- (6) "Geothermal system" means any strata, pool, reservoir, or other geologic formation containing geothermal resources.
- (7) "Material medium" means geothermal fluids, or water and other substances artificially introduced into a geothermal system to serve as a heat transfer medium.
- (8) "Operator" means any person drilling, maintaining, operating, producing, or in control of any well.
- (9) "Owner" means a person who has the right to drill into, produce, and make use of the geothermal resource.
- (10) "Person" means any individual, business entity (corporate or otherwise), or political subdivision of this or any other state.
- (11)
 - (a) "Waste" means any inefficient, excessive, or improper production, use, or dissipation of geothermal resources.
 - (b) Wasteful practices include:
 - (i) transporting or storage methods that cause or tend to cause unnecessary surface loss of geothermal resources; or
 - (ii) locating, spacing, constructing, equipping, operating, producing, or venting of any well in a manner that results or tends to result in unnecessary surface loss or in reducing the ultimate economic recovery of geothermal resources.
- (12) "Well" means any well drilled, converted, or reactivated for the discovery, testing, production, or subsurface injection of geothermal resources.

Amended by Chapter 348, 2016 General Session